

85-178-A PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4B.4 to permit side yard setbacks of 12 feet and 35 feet (existing) in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

House built prior to current zoning provisions, necessitating variance clearance to construct a garage adjoining the house.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: _____
(Type or Print Name)
Address: _____ Phone No. _____
Signature: _____
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
City and State: _____ Name: _____
Address: _____ Phone No. _____
Attorney's Telephone No.: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 13th day of November, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of January, 1985, at 9:45 o'clock.

Carl Jablon
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: December 19, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions: No. 85-172-A, 85-177-A, 85-178-A, 85-180-A and 85-181-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG:JCH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 20, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Alfred W. O'Roark
4252 Mt. Carmel Road
Upperco, Maryland 21155

RE: Item No. 125 - Case No. 85-178-A
Petitioner - Alfred W. O'Roark, et ux
Variance Petition

Dear Mr. & Mrs. O'Roark:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from other remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEG:bbsc

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

December 10, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #125 (1984-1985)
Property Owner: Alfred W. O'Roark, et ux
Centerline Mt. Carmel Rd. (E/S) 2112' S.
from centerline Gunpowder Rd.
Acres: 7.5
District: 5th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:REC:ss



Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

November 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 11-13-84
ITEM: #125.
Property Owner: Alfred W. O'Roark, et ux
Location: c/l Mt. Carmel Rd., Route 137 (E/S) 2112' S. from c/l Gunpowder Rd.
Existing Zoning: R.C. 4 & R.C. 2
Proposed Zoning: Variance to permit a side yard setback of 12' and 35' in lieu of the required 50'.
Acres: 7.5
District: 5th

Dear Mr. Jablon:

On review of the submittal for variance of side yard setback, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7550 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717/707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

11/21/84

Re: Zoning Advisory Meeting of 11/13/84
Item # 125
Property Owner: Alfred W. O'Roark, et ux
Location: Mt. Carmel Rd. & Gunpowder Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-75. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-75, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

Site plan should include a vicinity sketch.

Eugene A. Doherty
Eugene A. Doherty
Chief, Current Planning and Development

AUG 1 1985

ORDER RECEIVED FOR FILING

DATE

BY

ADMINISTRATIVE ASSISTANT

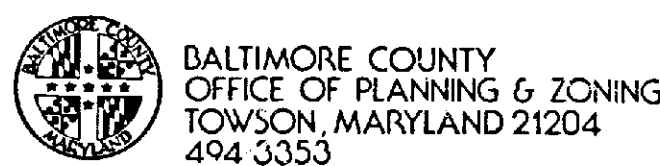
Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 8th day of January, 1985, that the herein Petition for Variance(s) to permit side yard setbacks of 12 feet and 35 feet in lieu of the required 50 feet for the existing dwelling and proposed attached garage, in accordance with the revised site plan marked Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order.

Jean M.H. Jung
Deputy Zoning Commissioner
Baltimore County

CHIEF-100 (Rev. 1-1-84)

FIELD (Rev. 1-1-84)



ARNOLD JABLON
ZONING COMMISSIONER

January 8, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. and Mrs. Alfred W. O'Roark
4252 Mt. Carmel Road
Upperco, Maryland 21155

RE: Petition for Variance
E/S of Mt. Carmel Rd., 2100' S of Gunpowder Rd. (4252 Mt. Carmel Rd.) - 5th Election District
Alfred W. O'Roark, et ux - Petitioners
No. 85-178-A (Item No. 125)

Dear Mr. and Mrs. O'Roark:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M.H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachment

cc: People's Counsel



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 23, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Alfred W. O'Roark, et ux

Location: c/l Mt. Carmel Rd. E/S 2112' S. from c/l Gunpowder Rd.

Item No.: 125 Zoning Agenda: Meeting of 11/13/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

 EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

November 30, 1984

Mr. and Mrs. Alfred W. O'Roark
4252 Mt. Carmel Road
Upperco, Maryland 21155

NOTICE OF HEARING

RE: Petition for Variance
E/S Mt. Carmel Rd., 2100' S of Gunpowder Rd. (4252 Mt. Carmel Rd.)
Alfred W. O'Roark, et ux - Petitioners
Case No. 85-178-A

TIME: 9:45 a.m.

DATE: Wednesday, January 2, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 134390

DATE: 1/2/85 ACCOUNT: P-01-615-2000

AMOUNT: 35.00

RECEIVED FROM: Alfred W. O'Roark

FOR: for the 125 Variance

6 057*****350014 5024F

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-4500

November 20, 1984

TED EISENHART
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 125 Zoning Advisory Committee Meeting are as follows:

Property Owner: Alfred W. O'Roark, et ux
Location: c/l Mt. Carmel Road (E/S) 2112' S. from c/l Gunpowder Road
Existing Zoning: R.C. 1 & R.C. 2
Proposed Zoning: Variance to permit a side yard setback of 12' and 35' in lieu of the required 50'.

Address: 7.5
District: 5th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 ~~except as otherwise provided for the building and other applicable codes.~~

(B) A building or other ~~structure~~ permit shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(E) An exterior wall erected within 6'0" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 101, Item 2, Section 107 and Table 102, also Section 201.

(F) Requested variance appears to conflict with the Baltimore County Building Code, Section/s .

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

(H) Before this office can comment on the above structure, please have the owner, through the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

(I) Comments - Garage shall be separated from house including the attic by a minimum of 1/2" gypsum board. Any doors shall be 1 3/4" solid core with closer, and there shall be a minimum 1" floor difference the garage being the lower level.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Service) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Service

CEB:es

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-178-A

District: 5th Date of Posting: 12-2-84

Posted for: Variance

Petitioner: Alfred W. O'Roark, et ux

Location of property: E/S Mt. Carmel Road, 2100' S. of Gunpowder Road (4252 Mt. Carmel Road)

Location of Signs: in front of 4252 Mt. Carmel Road

Remarks:

Posted by: M. J. Ranta Date of return: 12-14-84

Number of Signs: 1

PETITION FOR VARIANCE
LOCATION: South East side of Mt. Carmel Road, 2100' S. of Gunpowder Road (4252 Mt. Carmel Rd.) - 5th Election District
DATE & TIME: 1/2/85
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance of the Zoning Regulations of Baltimore County, at the time and place shown above, for the purpose of receiving testimony and evidence in support of the Petition for Variance and for the purpose of making a decision on the Petition for Variance.

85-178-A
K COMMUNITY NEWSPAPERS OF MARYLAND, INC.
Westminster, Md., Dec. 13, 1984
IS TO CERTIFY that the annexed Reg. # 167402 P.O. # 60936 ed for one (1) day of December, 1984, in the Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland. South Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland. Community Times, a weekly newspaper published in Reisterstown, Baltimore County, Maryland.
K COMMUNITY NEWSPAPERS OF MARYLAND, INC.
Per [Signature]

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Mt. Carmel Rd., 2100' : OF BALTIMORE COUNTY
S of Gunpowder Rd. (4252 Mt. :
Carmel Rd.), 5th District : Case No. 85-178-A
ALFRED W. O'ROARK, et ux, :
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 14th day of December, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Alfred W. O'Roark, 4252 Mt. Carmel Road, Upperco, MD 21155, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 13, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 13, 1984.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising 20.00
used also appear in 12/20/84 issue

PETITION FOR VARIANCE
34 Eleventh District

LOCATION: East side of Mt. Vernon Road, 200 foot North of Council Bluffs, Iowa, at the intersection of Council Bluffs Road (East) and 200th Street.

DATE: January 1, 1968 at 8:00 a.m.

PUBLIC HEARING: Room 100, City of Council Bluffs, 111 W. Chesapeake Avenue, Town, Maryland.

The Zoning Commission of the City of Council Bluffs, Iowa, by authority of the Zoning Act and Regulations of the Council Bluffs, Iowa, will hold a public hearing, to be held on the 1st day of January, 1968, at 8:00 a.m. on the following petition for a variance from the side yard requirements of the Zoning Ordinance of the City of Council Bluffs, Iowa, to be authorized by the City of Council Bluffs, Iowa, on the plat filed of Alfred W. Schaefer, Jr., and to be held in the presence of the following:

In the event that this Petition is granted, the variance permit may be issued within the period of 30 days following the date of the Zoning Commission's decision. However, materials and equipment may be removed and use of said permit during the period of 30 days following the date of the Zoning Commission's request must be received. This request must be received within the period of 30 days following the date of the hearing set above or made at the discretion of the City of Council Bluffs, Iowa.

By Order Of
WILLIAM L. LARSON,
Zoning Commissioner
of Raintown County

TOWSON, MD., n December 20 1984


THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on
December 20 19 84

THE JEFFERSONIAN,

Cost of Advertising

JS-178-A



 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

December 21, 1984

Mr. & Mrs. Alfred W. O'Roark
4252 Mt. Carmel Road
Upperco, Maryland 21155

RE: Petition for Variance
E/S Mt. Carmel Rd., 2,100' S of Gunpowder
Road (4252 Mt. Carmel Road)
Alfred W. O'Roark, at ux - Petitioners
Case No. 85-178-A

Dear Mr. & Mrs. O'Roark:

This is to advise you that \$51.33 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, ~~Towson, Maryland~~ 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 003171

Merely,

DATE Mar 9, 1965 ACCOUNT 1-01-615-010

AMOUNT \$ 51.33

RECEIVED FROM: Mr. W. L. Hunt, et al

for *Alv. P. 442* Case # 75-117 A

VALIDATION OR SIGNATURE OF CARRIER

DESCRIPTION

Located in the centerline of Mt. Carmel Road (east side of Mt. Carmel Road) 2112 feet south of the intersection of Mt. Carmel and Gunpowder Roads and thence running:

N 79° 30' 20"E 350.11', thence
N 76° 16' 50"E 524.66', thence
N 01° 14' 00"W 381.25', thence
N 88° 46' 00"E 573.64', thence
S 55° 23' 00"W 109.79', thence
S 27° 00' 00"E 253.20', thence
N 85° 04' 26"W 593.23', thence
S 01° 14' 00"E 286.98', thence
S 80° 50' 50"E 920.66', to the aforementioned
centerline of M-10, thence running
and binding on said centerline,
N 15° 46' 20"W 75.84', thence
N 122° 04' 40"W 36.08', to the point and place
of beginning, containing 7,490 acres of land,
more or less.

Also known as 4252 Mt. Carmel Road.

PETITION FOR VARIANCE
5th Election District

LOCATION: East side of Mt. Carmel Road, 2100 feet South of
Gunpowder Road (4252 Mt. Carmel Road)

DATE AND TIME: Wednesday, January 2, 1985 at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit side yard setbacks of 12 feet and 35 feet (existing) in lieu of the required 50 feet.

Being the property of Alfred W. O'Roark, et ux as shown on
the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

